given any assurance to the Commerce Ministry to increase their exports.

SHRI PRANAB MUKHERJEE: Sir, so far as prosecution is concerned, it is true that the Tobacco Board is to prosecute with the consent of the Union Government. That provision is there and it is written in the Act itself. As regards the stable tax structure of the cigarette industry, it is the domain of the Finance Ministry. Sometimes we give suggestions to the user Ministries, consumer Ministries, but, ultimately, it is up to the Finance Ministry to decide to take a wholistic view of the matter.

MR. CHAIRMAN: Yes, Mr. Subramanian Swamy.

SHRI SUBRAMANIAN SWAMY: Sir, when I was the Commerce Minister, the purchase price of tobacco was Rs. 35/- and it was raised to that level. Ever since the Congress (I) Government came, it has declined to about to Rs. 22/- or Rs. 21/-. Distress sales are taking place. I would like the Government specifically to commit itself in one way or the other, that is, either to adopt the method suggested by Mr. Gujral, namely, reducing the acreage so that the price goes up, or actually entering into market operations and keeping the prices up. A large number of farmers are involved and they are in great destitution in Andhra Pradesh. I would like to know whether the Government is aware of it and what concrete steps are being taken to raise the prices. I may, with your indulgence, Sir, point out that the price of flue-cured tobacco is the lowest in India and it is less than a dollar—it is just 88 cents per kg.—whereas in a small country like Japan it is $13.4. Of course, in other countries like Australia, it is $5.50 per kg. It is the lowest in India. So, our farmers are dying. I would like to know whether the Government is not acting on account of some pressure. I know, as a former Commerce Minister, what sort of pressures used to come. I feel that with courageous steps it is possible to strike a balance and raise the purchase price of tobacco.

SHRI PRANAB MUKHERJEE: Sir, it is true that in 1991, the average floor price was increased substantially. But the honourable Member will appreciate that the total quantum which was marketed was 89.17 million kgs. and, as against that, in 1992, it is 132.78 kgs. That is a simple demand and supply position.

SHRI SUBRAMANIAN SWAMY: Since when has this socialist turned into a supply-and-demand man? It is the job of the Government.

SHRI PRANAB MUKHERJEE: Sir, if the honourable Member gives me a suggestion, I have no hesitation in withdrawing the total control from tobacco production and tobacco trade. But I am pretty sure that then the growers will be subjected to much more difficulties than what they are facing today.

MR. CHAIRMAN: Mr. Hariprasad.

SHRI B.K. HARIPRASAD: Sir, according to the Minister's reply, tobacco production in the country, especially in Karnataka and Andhra Pradesh, has exceeded the target. In view of this, I would like to know from the honourable Minister whether the Government has been approached by the small and marginal tobacco growers for an increase in the area of authorised cropping and, if so, what action has been taken thereon.

SHRI PRANAB MUKHERJEE: We should reduce the production of tobacco; no question of expanding.

MR. CHAIRMAN: Question No. 84.

Penalties on coal companies for default

*84. SHRI VIREN J. SHAH:
SHRI PRAMOD MAHAJAN:

Will the Minister of COAL be pleased to state:

(a) whether Government propose to impose penalties on certain coal companies defaulting on quality, quantity and timely coal supplies to bulk consumers especially to thermal power stations;

(b) if so, what are the facts in this regard including the names of such companies, the demand and supply of coal to each of the bulk consumers during the last three years;

(c) what steps Government have taken so far or propose to take to ensure quality, quantity and timely supply of coal by the coal companies to the bulk consumers of coal;

(d) what are the details of outstanding

dues from each of the bulk consumers of coal as on the 31st December, 1992; and

(c) what steps have so far been taken for their early recovery?

THE MINISTER OF STATE OF THE MINISTRY OF COAL (SHRI AJIT KUMAR PANJA): (a) to (c) A Statement is laid on the Table of the House.

Statement

(a) to (c) Coal companies are responsible for supply of right quality and correct quantity of coal at the pithead. Pithead siding is the point where coal is transferred as property to consumers. Supply of coal by coal companies to bulk consumers in power sector is governed by the agreements between the two sides. The quality and quantity of coal supplied have to be checked at loading points by the consumers. It has been decided by the Govt. that joint sampling for quality purposes should be done at the loading points and any discrepancy should be sorted out on that basis.

Over the years Government and coal companies have taken several steps for ensuring quality, quantity and timely supplies of coal. These include:

(i) Installation of electronic weighbridges to ensure correct weighment.

(ii) Installation of coal handling plants for improving quality.

(iii) Setting up of a machinery under Coal Controller for sampling and analysis of coal at the loading points.

(iv) Formation of a National Coal Consumers' Council and several Regional Coal Consumers' Councils for redressal of consumers' grievances.

(v) Appointment of Short Term Linkage Committees at Govt. level to decide and monitor supplies of coal to consumers in Power and Cement sectors.

The requirement of coal is assessed sector-wise for each financial year. The sector-wise details of demand and actual despatch of coal for major consuming sectors for last three years are given below:—

(In million tonnes)

Sector	1989-90		1990-91		1991-92	
	Demand	Despatch	Demand	Despatch	Demand	Despatch
Steel	33.00	28.37	32.40	30.05	33.70	31.65
Power	121.00	115.12	131.00	118.79	137.00	136.90
Railways	6.50	5.73	5.80	5.17	4.70	4.42
Cement	11.50	8.74	11.50	9.74	13.10	9.97
Fertilizers	5.50	3.97	4.60	3.90	4.00	4.23

(d) The details of outstanding dues of Coal India Ltd. against each of Government Departments/Organisations till December, 1992 are given below:

(Rs. in crores)

	Government Deptts/ Organisations	Amount
1.	Andhra Pradesh Electricity Board	8
2.	Badarpur Thermal Power Station	182
3.	Bihar State Electricity Board	13
4.	Bharat Aluminium Co. Ltd.	1
5.	Cement Corporation of India	3
6.	Damodar Valley Corporation	226
7.	Delhi Electric Supply Undertaking	39
8.	Defence Department	5
9.	Durgapur Projects Ltd.	65
10.	Fertilizer Corporation of India	41
11.	Gujarat Electricity Board	132
12.	Haryana State Electricity Board	82
13.	Hindustan Fertilizer Corporation	1
14.	Hindustan Paper Corporation Ltd.	2
15.	Madhya Pradesh State Electricity Board	42
16.	Maharashtra State Electricity Board	274

	Government Deptts/ Organisations	Amount
17.	Minerals & Metals Trading Corporation	6
18.	National Thermal Power Corporation	105
19.	National Aluminium Co. Ltd.	6
20.	Orissa State Electricity Board	8
21.	Punjab State Electricity Board	137
22.	Railways	63
23.	Rajasthan State Electricity Board	20
24	Steel Authority of India Ltd.	281
25.	Tamilnadu Electricity Board	60
26.	Uttar Pradesh State Electricity Board	252
27.	West Bengal State Electricity Board	104
28.	West Bengal Power Development Corporation	146
		2304

(e) Following steps have been taken to recover outstanding dues:

(i) All power units commissioned after 1.4.1989 are being supplied coal only against advance payments or against revolving Letter of Credit.

(ii) The Government of India have decided to adjust all undisputed coal sales outstanding as on 31.5.1990 against the Central Assistance to the State plans payable to the State Governments, whose State Electricity Board and Power Utilities had defaulted, in four equal annual instalments. So far three instalments have been received.

(iii) As a result of mounting arrears of outstanding dues, Ministry of Coal advised CIL to start supplying coal to the State Electricity Boards only against advance payments. This scheme which is better known as 'Cash and Carry Scheme' was introduced w.e.f. 1.10.1991.

(iv) State Governments have been requested to pursuade/enable State Electricity Boards to clear the outstanding dues at the earliest.

SHRI VIREN J. SHAH: Sir, unfortunately, due to fog, my plane landed only just now and I just came to the House and I saw the Answer. Sir, I seek your protection.

Mr. Chairman, Sir, If you kindly look at the question and the reply, you will find that there is no connection whatsoever to enable anybody even to raise a supplementary. Sir, if you look at it, it says (a) whether the Government propose to impose penalties on certain coal companies defaulting on quality, quantity and timely supplies to bulk consumers especially to thermal power stations. Do I find any reply to that in this?

AN HON. MEMBER: No.

SHRI VIREN J. SHAH: We do not find a reply. And if I draw the attention of the hon. Minister, Sir, whether his officers have put before him an item that appeared in the 'Financial Express' of 30th January, 1993, he would have found—the 'Financial Express' of 30th January, 1993—how the question is arising. Would he kindly first give a reply to enable us to ask supplementaries? Otherwise, I will require two more minutes to indicate what was reported.

SHRI AJIT KUMAR PANJA: Sir, I think, as you will see, the answer is clear. The question of putting penalties does not arise because it is not in respect of a particular company.

SHRI PRAMOD MAHAJAN: That answer is not there.

SHRI AJIT KUMAR PANJA: That is there. The coal companies are responsible for quality and quantity of coal at the pithead. The hon. Members will realise that when the coal is taken up from mines, the sale takes place at the pithead siding *i.e.* loading point, whether it is railway siding or transport by road. Therefore, Sir, the property in the goods passes then and there to the consumer. The question of penalty does not arise because then and there the buyers must beware and make a choice. He may say, "I do not take this coal". Thereafter, when the supply reaches the power stations, sometimes, they raise complaints that the coal is not according to the quality they asked for. Sir, to my mind, according to the Sale of Goods Act and also under the present manner of transaction of sale of coal taking place, the coal companies for the CIL are not responsible after a consumer has purchased and taken it. The principle is 'buyers beware'——'*caveat emptor*.' On

that principle, the question of penalty should generally not arise. That is why I have given the details to the Members to understand.

MR. CHAIRMAN: Second supplementary.

SHRI VIREN J. SHAH: Sir, I have not got an answer even for the first supplementary. I seek your protection, Sir. If you carefully look at the hon. Minister's reply, Sir, it would not satisfy you. Sir, the point that arises is that over the years, the thermal power stations are all under the State Governments and the Government of India, and it has been repeatedly brought on record in this House that they regularly found it difficult to operate because of the coal quality being not right. They get ash, they get stones. And throughout, the coal Minister have been passing on the blame on the Railways. That is the reply which the hon. Minister has given.

Sir, as per this report in the 'Financial Express' of 30th January, 1993, which I cited—let the hon. Minister say whether there is any truth in it—the Foreign Investments Promotion Board under the Chairmanship of the Principal Secretary to the Prime Minister decided to work out a legal-binding for assured coal supplies. Thereafter, the matter was again taken up and a draft note on the legally enforceable coal contracts has been forwarded by the Power Ministry to the Coal Ministry for its comments and further action. And this is the problem. The Minister has been taking the same line which his predecessor have taken for the last 20 years. My question to him is: Is it a fact that the Foreign Investments Promotion Board, in March 1992, took such a decision? Is it true that a draft note on the legally enforceable coal contracts has been forwarded by the Power Ministry to the Coal Ministry? If so, when? And what is the position of that note?

MR. CHAIRMAN: Is that your first supplementary?

SHRI VIREN J. SHAH: That is the first supplementary, Sir.

SHRI AJIT KUMAR PANJA: Sir, it is true that a suggestion was made that a clause regarding penalty or reward should be included in the agreement. It has not been finalised. It is still under consideration. So far as the Coal India Limited are concerned, they are insisting on the pithead sale. And, therefore, Sir, under the Sale of Goods Act, the responsibility ceases as soon as the property in the goods passes to the consumer. But still, as CIL is a monopoly supplier, whether there is any other responsibility involved regardding penalty and reward, that is being discussed, and that is where in the second portion, the hon. Member is right.

SHRI VIREN J. SHAH: He has not replied to the question. When did the Coal Ministry receive the note from the Power Ministry on the legally enforceable coal contracts? He says it is still under discussion.

MR. CHAIRMAN: This is what the Minister says.

SHRI AJIT KUMAR PANJA: About the date of receipt of the note, I need a notice.

SHRI VIREN J. SHAH: Is it under consideration for six months? Can't he say even that much?

MR. CHAIRMAN: He cannot say about the date. Please ask your second supplementary.

SHRI VIREN J. SHAH: Sir, the Minister says that under the Sale of Goods Act, the responsibility ceases and his own admission is that there is a monopoly supplier and the buyers are Government's own power-generating stations for which the Finance Minister day before yesterday in the Budget has given a 5 year holiday to encourage it. This attitude is not likely to lead to any improvement. I want to know whether the Coal Minister is seriously examining as to how the problem of coal being supplied of inadequate quality and inadequate quantity is to be dealt with and whether there is any time frame, as this has been going on for more than 15 years.

SHRI AJIT KUMAR PANJA: Sir, the CIL is a company and it is the largest public sector unit and they must run the company. Even then, from the Ministry, we are looking into the question from the point of view of not only the quantity but also the quality. For that, I have answered already. There are five specific

steps which have been taken. I need not repeat them. They are in the second paragraph of my reply. These specific steps relate to installation of electronic weighbridges to ensure correct weighment, installation of coal handling plants for improving quality, setting up of a machinery under Coal Controller for sampling and analysis of coal at the loading points, formation of a National Coal Consumers' Council and several Regional Coal Consumers' Councils and appointment of Short Term Linkages Committees, etc. I can say that at present, 73 per cent of the area is covered under the said scheme and the rest is not yet covered. Therefore, some time, there is a complaint. Now the Coal India Limited is taking steps by which by March next year they will be able to cover 90 per cent of the area of the loading points where these weighbridges and also the coal handling plants will be set up so that there may be lesser complaints about the quality and also the quantity.

श्री प्रमोद महाजन: सभापति जी, घर तक सामान पहुंचाने के इस जमाने में अगर कोयला मंत्रालय अपना कोयला विद्युत तापगृह पहुंचाने की जिम्मेदारी लेता तो शायद विद्युत ज्यादा निर्मित होती, लेकिन मैं उस मुद्दे पर कोयला मंत्री को अड़चन में नहीं डालना चाहता, मैं उनकी मदद की दृष्टि से एक प्रश्न पूछना चाहता हूं कि कुछ दिन पहले कोयले के दाम इसलिए बढ़ा दिए गए कि सरकारी कोयला कंपनियां घाटे में हैं और घाटे का प्रमुख कारण यह है कि कोल इंडिया द्वारा बेचे गए कोयले का पैसा नहीं मिलता और यह जो पैसा डुबोया जाता है या डुबोने का प्रयास होता है, उसकी मात्रा लगभग 2300 करोड़ हो चुकी है। यह उत्तर में ही आपने कहा है। अगर उत्तर को हम देखें तो इस 2300 करोड़ में से लगभग 1100 करोड़ रुपया ऐसा है जो केन्द्र सरकार के विभिन्न मंत्रालयों का ही कोल इंडिया को देना बाकी है जिसमें रेल है, रक्षा है और इस्पात है। यह सरकार का बायां हाथ है जो दाएं हाथ से बेची गयी चीज का पैसा नहीं दे रहा और इसलिए कोयला कंपनियां घाटे में चल रही है और घाटे में जाने के कारण कोयला मंहगा कर दिया गया है जिससे कि आम आदमी को तकलीफ हो रही है। तो मैं मंत्री जी से यह जानना चाहूंगा कि क्या यह कोयला मंत्रालय जो राज्यों से, उन्होंने अपने उत्तर में राज्यों से पैसा कैसे वसूल करना है इसका रास्ता तो दिखलाया है कि जो केन्द्र की सहायता दी जाती है उसमें से कोयले का पैसा आप वापिस लेते हो, लेकिन जो केन्द्र सरकार के विभिन्न मंत्रालय हैं जिनसे कि 1100 करोड़ रुपया बाकी है उसको वसूल करने के लिए क्या कोयला मंत्रालय किसी प्रकार का प्रयास कर रहा है या कम-से-कम इन मंत्रालयों पर कानूनी कार्यवाही करने की सोचेगा जोकि आपको पैसा नहीं दे रहे हैं?

SHRI AJIT KUMAR PANJA: Sir, all these amounts which I have mentioned in answer to part(d) of the question, on page 2 of the statement, are on open current mutual accounts. The payments that are being made, the payment of cess, the adjustment of royalty, are all on open current mutual accounts. I personally examined this at the briefing meeting. It is true that there are dues from the State Electricity Boards and other units. There are dues from a number of Government of India undertakings also. Three steps we have taken. Firstly, we are taking it up actively in the meeting which takes place with the Secretaries to see that the payments are made quickly.

The hon. Member is right that if the payments are not made, the Coal India suffers. It is true that the Coal India is suffering because of non-payment of these dues. But it has nothing to do with the price increase which I have explained in reply to the hon. Member's question in this House. That is because of many variables, the DA and other increases, the details of which I had given.

Secondly to see that payments are made quickly, we had introduced the cash and carry' system by which 15 per cent improvement in recovery of dues has taken place. My predecessor, Mr. Sangma, introduced this system. It has improved realisation.

Then, Sir, thirdly we are also taking it up with the Secretaries concerned, with the Ministers concerned. I have taken it up with the State Governments also, with some of the Chief Ministers. Therefore, so far as the pending bills are concerned, we are trying to see that the payments are realised both from state and from Centre as quickly as possible. These are the steps we have taken.

श्री प्रमोद महाजन: सर, यह कैश एण्ड कैरी योजना राज्य सरकारों के लिए है। मैंने पुछा था कि जो गवर्नमेंट आफ इंडिया, There are different

departments which have to pay you. Why are you not insisting on 'cash and carry' system in the case of Railways, Defence, Steel and other Ministries?

SHRI AJIT KUMAR PANJA: Sir, in the case of certain organisations, we have the system of revolving letter of credit. For example, in the case of NTPC, we have this system. They go on paying. There is a pattern in their payment. After all, CIL is doing busines. They are carrying on business. It is a company. We find that on every fifth day, they are paying. Therefore, it is according to the pattern of payment by the customer. Where we find that the customer is an habitual defaulter, we are insisting on 'cash and carry' system. Where we find that they are paying at regular intervals, may not be on the dot, on the date of the sale, ... (*Interruptions*)

May I complete?

MR. CHAIRMAN: This is not a debate, Mr. Mahajan.

SHRI AJIT KUMAR PANJA: There are certain outstanding dues which have been disputed by them. We are taking it to arbitration. We are negotiating so that these are paid quickly.

SHRI S. S. SURJEWALA: Mr. Chairman, Sir, the hon. Minister has not replied to the two very important questions which have been raised. One is, whether the Government proposes to impose a penalty on certain companies which have defaulted? Secondly, what are the names of these companies? The answers to these two questions have not come.

Then, I would like to know from the hon. Minister whether he is aware of the operation of a mafia in the coal pitheads. This mafia operation is to such an extent that not only it is causing great loss to these companies and to the State Governments, but there is also extortion of money from the general public, from the common consumers, who go there for loading and other purposes.

Secondly, the hon. Minister has enumerated the five steps for improvement of quality. In how many pitheads the electronic weighbridges and other facilities have been installed? I think there are very few pitheads where these weighbridges have been installed.

There is also another complaint that many of the coal rakes are diverted from one power station to another power station. Is it a fact?

SHRI AJIT KUMAR PANJA: So far as the first question of the hon. Member is concerned, information about some mafia gangs operating in certain sectors has come to the notice of the Government. The law and order is with the State Government. It is being taken up. Security is being augmented.

So far as the second portion is concerned, I have already answered that 73 per cent is now covered by weighbridges and coal handling plants etc. It appears from the CIL's information that 90 per cent would be covered by March 1994.

MR. CHAIRMAN: Question Hour is over.

WRITTEN ANSWERS TO QUESTIONS

Trade Relations with South Africa

*81. SHRIMATI KAMLA SINHA:
SHRI SURESH KALMADI:

Will the Minister of COMMERCE be pleased to state:

(a) whether it is a fact that Government have initiated a plan to enter into trade relations with South Africa; and

(b) if so, the details thereof?

THE MINISTER OF COMMERCE (SHRI PRANAB MUKHERJEE): (a) Government has not opened trade relations with South Africa.

(b) Does not arise.

International Standards for Textile Exports

*85. SHRI ANANTRAM JAISWAL: Will the Minister of TEXTILES be pleased to state:

(a) what are the details of ISO 9000 standard set by the International Standards Organisation for textile and cloth exporters;

(b) the name of the textile exporters having turnover above Rs. 1 crore per annum and against whom Textile Committee has received complaints